

TUESDAY MORNING

WHEREAS, at least 30 million Americans, including at least 12 million children have these brain disorders; and

WHEREAS, the church is called to be a community which breaks through fear and isolation to offer love, hope, care and healing;

THEREFORE, BE IT RESOLVED that the Twenty-second General Synod requests the United Church Board for Homeland Ministries and/or its successor body to make it a priority to educate congregations about these disorders and encourage congregations to be truly inclusive, welcoming churches, ministering with and to persons with these disorders and their families;

BE IT FURTHER RESOLVED that the Executive Council is requested to petition The Pension Boards—United Church of Christ to establish health insurance policies which provide insurance coverage for these brain disorders equal to any other physical illness; and

BE IT FINALLY RESOLVED that the Office for Church in Society and/or its successor body is requested to promote advocacy in state legislatures and in Congress for equality in health insurance coverage and other anti-discrimination legislation which affects this population of people.

Funding for this action will be made in accordance with the overall mandates of the affected agencies and the funds available.

13. MAKE A DIFFERENCE! PRESENTATION

The Moderator explained that beginning in 1985, the Fifteenth General Synod authorized a feasibility study which supported the decision made at the Eighteenth General Synod, to begin a special fund raising effort for the entire United Church of Christ known as MAKE A DIFFERENCE!. Ms. Nancy J. Fogal, Director of Special Giving with the United Church of Christ's Commission on Development was invited to present a concluding report on the MAKE A DIFFERENCE! campaign.

Ms. Fogal spoke of the importance of this campaign in the life of the church and thanked the staff members of local churches and conferences who made the campaign work. Special appreciation and acknowledgment was given to the persons on stage, Rev. W. James Halfaker, who was the original director of the campaign; Mr. Robert Polk, who worked on

Special Gifts, and Ms. Estella King, the administrative staff.

Ms. Fogal also thanked Honorary Co-chairs, Ambassador Andrew Young and Jean Young, (now deceased); authors of the Mission Study materials; and Mr. Ray Dezember, who served as Major Gifts Chair. Ms. Fogal stated that the goal for the Make A Difference! Campaign was \$30 million and the campaign is at \$21 million. She recognized the eleven conferences who exceeded their goal. These are: Central Atlantic, Central Pacific, Kansas-Oklahoma, Montana-Northern Wyoming, Northern Plains, Rocky Mountain, South Dakota, Southeast, California Nevada Southern, Southwest, and Vermont.

Ms. Fogal continued naming the work already being accomplished with gifts from the campaign. These include 38 scholarships for seminarians, \$16,000 for the on-going nurture of pastors and educators, grants totaling \$40,350 to nine projects in the United States and other countries, and \$208,000 to the Council of American Indian Ministries for repair and construction of churches.

Ms. Fogal thanked all who have in some way participated in the campaign and encouraged continued support to make the \$30 million goal a reality.

14. RESOLUTION "CALL FOR ABOLITION OF THE DEATH PENALTY"

Assistant Moderator Jana Norman-Richardson called on Ms. Sonia Baker (CA NV,S), Chair of Committee 10 to present their recommendation.

Ms. Baker directed the delegates to the Resolution "Call for the Abolition of the Death Penalty" and noted an editorial correction in the twenty-second "WHEREAS" statement, replace the word "Cristo" with the words "Puerto Rico" so the statement reads "'WHEREAS, the Iglesia Evangelica Unida de Puerto Rico. . . ." Ms. Baker expressed appreciation for the Committee Process from which emerged care for documentation, perspective, wisdom, theological reflection, seriousness and commitment. All of these allowed the committee to prepare two documents which will be both a resource and a call to action for our national church, as well as for our conferences and local congregations. Ms. Baker presented the Resolution "Call for the Abolition of the Death Penalty" and moved its adoption.

TUESDAY MORNING

Ms. Baker spoke to the resolution stating the Committee felt strongly that this resolution is a teaching document. She presented facts relating to executions and urged passage of the resolution.

Assistant Moderator Norman-Richardson asked for discussion.

Mr. Jeffrey Burt (CONN) spoke in favor of the death penalty because our prisons are already overcrowded and holding more prisoners will not help and putting the serial killers on death row out on bail is not an option. He stated the "forgive and forget" thought but does not feel that will prevent a murderer from striking again. He urged defeat of this resolution.

Rev. Dianne L. Hudder (FLA) offered a friendly amendment in the second "WHEREAS" to delete the words "an eye for an eye" and in the second "BE IT FURTHER RESOLVED" after the end of the last sentence following "offenders;" add "the mentally retarded and the mentally ill." Ms. Hudder yielded her time to Rev. Melodee A. Smith (FLA) and asked that she be granted voice.

Assistant Moderator Norman-Richardson stated the Synod will grant voice to Ms. Smith.

Ms. Smith spoke in favor of the amendment.

Ms. Baker stated that the Committee considers the amendment a friendly amendment.

Rev. William L. Land (OHIO), co-chair of the United Church of Christ Coalition to Abolish the Death Penalty spoke in favor of the amendment stating that only God can give life and we need to do what we are called to do as children of Christ.

Rev. William E. Miles (WIS) offered a friendly amendment to the fourth "BE IT FURTHER RESOLVED" after "each state" to add the words "the leadership of each political party of each state," and after the words "President of the United States" add the words "and each member of the United States Congress." This was accepted as a friendly amendment by the Committee.

There being no further discussion Assistant Moderator Norman-Richardson called for the vote.

99-GS-58 VOTED: The Twenty-second General Synod adopts the Resolution "Call for the Abolition of the Death Penalty."

CALL FOR THE ABOLITION OF THE DEATH PENALTY

WHEREAS, the Ten Commandments teach "Thou shall not kill," placing a profound respect for human life at the center of Jewish and Christian teaching;

WHEREAS, the Scriptures reveal that God desires not vengeance but repentance and Jesus explicitly rejects retribution, calling us instead to transformative forgiveness;

WHEREAS, Jesus challenged the death penalty of his culture, calling on those without sin to cast the first stone;

WHEREAS, Scripture repeatedly calls us to overcome evil with good and to transform hatred with love;

WHEREAS, the good news of Easter celebrates the triumph of life over evil and reminds us of the promise of redemption held out to all of creation;

WHEREAS, the death penalty undermines the fundamental respect for human life by sanctioning the deliberate act of killing an individual;

WHEREAS, the death penalty disregards the power of God's grace and sovereignty in human life which offers the possibility of transforming individuals and circumstances deemed "irredeemable" by human judgment;

WHEREAS, in imposing execution even on those who have been transformed in prison, the death penalty is revealed solely as an instrument of vengeance;

WHEREAS, such an instrument of vengeance negates the stated goal of change and rehabilitation as part of the criminal justice system;

WHEREAS, study after study demonstrates a clear racial and economic bias in applying the death penalty and this arbitrary administration of the death penalty contradicts its use as an instrument of justice (David Baldus "Racial Discrimination in the Administration of the Death Penalty in Georgia" 1986; Gross/Mauro "Discrimination in the Death Penalty" 1982; U.S. General Accounting Office Mauro "Discrimination in the Death Penalty" 1994);

WHEREAS, the financial cost to society of implementing the death penalty is significantly higher than the cost of lifetime incarceration; (Miami Herald

TUESDAY MORNING

"Cost of Execution" early 1980's; Jonathan Gradess, "Costs of Execution in New York" circa 1990)

WHEREAS, studies show that despite efforts to eliminate racial and socioeconomic bias in death penalty sentencing, people of color are still disproportionately represented among the death row population, with African Americans and Latinos and Latinas constituting almost half of the death row population but only 18% of the U.S. population;

WHEREAS, the race of the defendant and the race of the victim continue to be prominent factors in the application of the death penalty, with the death penalty imposed significantly more frequently when the victim is white, a pattern acknowledged by the U.S. Supreme Court in 1987 (McClesky v. Kemp, U.S. Supreme Court, April 12, 1987);

WHEREAS, documented evidence of racial and socioeconomic disparity in the application of the death penalty, as well as inadequate legal representation of death row prisoners, has led the American Bar Association to call for a moratorium on all executions until such time as death penalty cases are administered fairly;

WHEREAS, the arbitrary administration of the death penalty has led to the unjust execution of at least 23 innocent people since 1900 (Bedau/Radelet Study, Stanford Law Review);

WHEREAS, recent legislation and court rulings have further eroded access and availability of legal assistance and recourse to those charged with criminal offenses, particularly affecting the cases of death row inmates, thus exacerbating the racial and economic bias in the administration of the death penalty;

WHEREAS, judicial jurisdictions are executing more people and speeding the process of executions;

WHEREAS, many denominations and faith groups have long held positions in opposition to the death penalty, but have, with few exceptions, remained largely silent in the face of a record increase in executions and an alarming trend toward executing younger and younger people convicted of crimes;

WHEREAS, the United States is one of only five nations which have executed juvenile offenders in the 1900's (along with Iran, Pakistan, Saudi Arabia and Yemen) despite international treaties and conventions condemning such a practice;

WHEREAS, some states are considering an even lower age at which the death penalty may be imposed, in light of the Supreme Court ruling which allows the execution of individuals as young as 16;

WHEREAS, the death penalty is prohibited by the Constitution of the Commonwealth of Puerto Rico and the Universal Declaration of Human Rights;

WHEREAS, the Iglesia Evangelica Unida de Puerto Rico (the Puerto Rico Conference of the United Church of Christ) has expressed its opposition to the death penalty;

WHEREAS, the people of Puerto Rico have consistently rejected the death penalty;

WHEREAS, the death penalty has not proven to be an effective deterrent to crime, as evidenced by studies showing that states with the death penalty do not have lower murder rates than states without a death penalty in place;

WHEREAS, there is no conclusive evidence that the death penalty brings about real healing for victims' families and, in fact, public opinion strongly supports life imprisonment without parole along with some form of restitution for victims' families as a more meaningful gesture toward healing;

WHEREAS, many criminal justice and conflict resolution experts have found that the trend toward vengeance and punishment reflected in the increased number of executions in fact undermines the goals of accountability and true restoration by leaving victims' families and the community without a role in the justice process and by preventing the offender from experiencing the full consequence of pain caused; and

WHEREAS, in the midst of a violent world, the lament of Jesus that we would "know the things that make for peace" challenges us to move beyond such instruments as the death penalty to bring about true justice, healing and reconciliation;

THEREFORE, BE IT RESOLVED that the United Church of Christ Office for Church in Society, Commission for Racial Justice and the United Church Board for Homeland Ministries, in partnership with other national instrumentalities and agencies (and their successor bodies), continue advocacy efforts to address the racial and economic biases in the administration and continuation of the death penalty, including efforts to

TUESDAY MORNING

reverse the trend toward limiting access to legal counsel and recourse;

BE IT FURTHER RESOLVED that the United Church of Christ and the Office for Church in Society, in cooperation with congregations, conferences and the national instrumentalities, work with legislators to introduce a "moratorium on execution" legislation in the state and federal legislative bodies;

BE IT FURTHER RESOLVED that the Twenty-second General Synod calls upon United Church of Christ national instrumentalities (and their successor bodies), conferences, associations and congregations to speak out in opposition to the death penalty and work for its abolition, with an immediate focus on abolishing the death penalty for juvenile offenders, the mentally retarded and the mentally ill;

BE IT FURTHER RESOLVED that the United Church of Christ Office for Church in Society, Commission for Racial Justice and the United Church Board for Homeland Ministries, in partnership with all national instrumentalities and agencies (and their successor bodies), engage in renewed education efforts with United Church of Christ conferences, associations and congregations throughout the United States and Puerto Rico regarding the issue of capital punishment;

BE IT FURTHER RESOLVED that copies of this resolution be sent to the governor of each state, the leadership of each political party of each state, Puerto Rico, the President of the United States, and each member of the United States Congress; and

BE IT FINALLY RESOLVED that the Twenty-second General Synod of the United Church of Christ reaffirms the long-standing opposition within the United Church of Christ to the death penalty and urges the abolition of capital punishment as a means of working for justice and maintaining a faithful witness to remember "the least of these" our sisters and brothers.

Funding for this action will be made in accordance with the overall mandates of the affected agencies and the funds available.

15. RESOLUTION "RE-AFFIRMING THE FOURTH AMENDMENT IN THE WAKE OF THE DIALLO SHOOTING"

Ms. Baker presented the Resolution "Re-affirming the Fourth Amendment in the Wake of the Diallo Shooting" and recommended its approval. In speaking to the

motion, Ms. Baker stated that while the focus is a specific incident, there have been similar events in many places in our country. She stated the hope of Committee 10 is that in being this specific about an event in one city this document will be a helpful tool to those working in other communities.

Assistant Moderator Norman-Richardson called for discussion.

Mr. Richard Conser (ILL) spoke in support of the resolution and related documented incidents of police violence in Chicago.

Rev. Zolton S. Sutto (CA.SY) spoke in support of the resolution and informed the Synod that he was a police officer for 26 years before going into the ministry and stated he deplored the actions in this incident.

Ms. Catharine C. Bryant (NY) offered a friendly editorial amendment in the third "WHEREAS" add comas after the word "shooting" and after the word "bullets" enclosing that phrase. Ms. Baker accepted this as a friendly amendment.

There being no further discussion Assistant Moderator Norman-Richardson called for the vote.

99-GS-59 VOTED: The Twenty-second General Synod adopts the Resolution "Re-affirming the Fourth Amendment in the Wake of the Diallo Shooting."

RE-AFFIRMING THE FOURTH AMENDMENT IN THE WAKE OF THE DIALLO SHOOTING

WHEREAS, the Bible reminds us to "act with justice and righteousness, and deliver from the hand of the oppressor anyone who has been robbed. And do no wrong or violence to the alien, the orphan, and the widow, or shed innocent blood in this place" (Jer. 22:3); and the Parable of the Sheep and the Goats cautions, "As you did not do it to one of the least of these, you did not do it to me." (Matt. 25:31-46);

WHEREAS, the Fourth Amendment to the Constitution of the United States of America guarantees "the right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized;"

UC

- *The only eyewitness recanted his testimony after Workman's conviction.*
- *New evidence raised considerable doubt that Workman committed capital murder.*
- *Evidence used to convict Workman may have been falsified.*
- *E-mail communications between the office of the state's Attorney General and others create the appearance that the clemency process was orchestrated to clear obstacles to the execution of Workman regardless of evidence of his innocence.*

Leaders of the UCC from its national and Conference settings took these allegations seriously enough for two of its national officers and two Conference Ministers to make an urgent trip to Nashville Jan. 19 to visit Workman and his attorneys. The Rev. Joe Ingle of Nashville organized the Death Row visit.

In addition to Ingle and Jackson, the UCC delegation included the Rev. John H. Thomas, the UCC's General Minister and President; the Rev. Timothy Downs, Conference Minister of the Southeast Conference; the Rev. Jane Fisler Hoffman, Conference Minister of the Illinois Conference; and the Rev. Sala Nolan, Minister for Criminal Justice and Human Rights in Justice and Witness Ministries.

After the visit with Workman, Downs said: "We visited and prayed with Philip Workman and were moved by his Christian faithfulness. He has a quality of grace and trust and conviction deeper than a jailhouse conversion of convenience. We believe that the death penalty disregards the power of God's grace and God's sovereignty in human life."

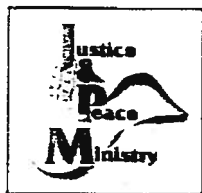
The new initiative against the death penalty will be spearheaded by Nolan.

Since 1969, the UCC's General Synod and Conference Annual Meetings have spoken out either for a moratorium on executions or abolition of the death penalty. In the United Church of Christ, local congregations are autonomous, and therefore free to make their own judgments regarding General Synod resolutions and actions by the church's national agencies.

Suggested actions

- *Contact your U.S. senators and ask them to support Sen. Feingold's Death Penalty Abolition Bill.*
- *Residents of death penalty states should contact the National Coalition Against the Death Penalty, 1436 U Street N.W., Suite 104, Washington D.C. 20009, 202-387-3890, to find out about ways to support efforts to prevent upcoming executions.*
- *Contact Sala Nolan (contact information on the right of this page) to learn more about UCC resolutions on the death penalty and to join the growing network of UCC death penalty opponents.*

 **E-mail this Page!**



March 2000

Call for an End to State Executions

Issue: The United States is one of only a handful of nations that continues to administer the death penalty. In the United States and throughout the international community, there is mounting concern over the use of the death penalty, particularly given the strong evidence of racial and socioeconomic bias in its administration.

Evidence of disparity in the application of the death penalty led the American Bar Association to call for a moratorium on executions in 1997. People of faith have long challenged the use of the death penalty in any circumstance, as a contradiction of "God's grace and sovereignty in human life." Yet even among proponents of the death penalty, there is growing unease about the number of cases of individuals wrongfully accused and sentenced to death row. Such concern led Illinois Governor George Ryan to institute a moratorium on the death penalty in Illinois until a thorough review of the state's capital punishment procedures has been completed.

There are 37 states with death penalty statutes. **The state of Tennessee warrants urgent concern and attention, with two executions scheduled in the next several weeks. Justice will not be served if these executions are carried out by the state.**

Action: Contact Tennessee Governor Don Sundquist urging him to grant clemency to Philip Workman and Robert Coe. **Send the enclosed postcard to Governor Sundquist or send an e-mail message to his address at dsundquist@mail.state.tn.us.**

If you reside in one of the 37 states with death penalty statutes, contact your state governor and legislators urging them to follow the lead of Illinois Governor George Ryan in instituting a moratorium on the death penalty. The following states (excluding Illinois) have death penalty statutes: AL, AR, AK, CA, CO, CT, DE, FL, GA, ID, IL, IN, KS, KY, LA, MD, MI, MO, MT, NE, NV, NH, NJ, NM, NY, NC, OH, OK, OR, PA, SC, SD, TN, TX, UT, VA, WA, WY.

Use the enclosed bumper sticker with the message "The Death Penalty: What Would Jesus Do?" (WWJD) to encourage dialogue and discussion in your congregation and community.

United Church of Christ Justice & Peace Ministry

700 Prospect Avenue, Cleveland, OH 44115-1100

Telephone: (216) 736-2178 • Telefax: (216) 736-2176 • E-mail: JPMin@ucc.org

Background: A number of religious leaders and legal advocacy groups have been involved in the cases of Philip Workman and Robert Coe. In both instances there is enough reasonable doubt to call for a reassessment of their cases. Since 1976, 611 people have been executed, while 79 people sentenced to death row have been proven innocent and released. There is substantial evidence that the administration of the death penalty in the United States is profoundly biased on the basis of race and socioeconomic status. This bias was recognized by the UCC General Synod. Last year G.S. 22 passed a resolution calling for a death penalty moratorium:

"...the race of the defendant and the race of the victim continue to be prominent factors in the application of the death penalty, with the death penalty imposed significantly more frequently when the victim is white, a pattern acknowledged by the Supreme Court in 1987..." Rev. Lloyd Steffen, a UCC chaplain and professor of religious studies at Lehigh University notes:

"Every year in the United States there are over 22,000 criminal homicides. If justice requires that those who take a life should lose their life in retribution, then justice would require 22,000 executions a year. But that does not happen - we have on average 22 executions per year. Those who wind up on death row are a select group. They are not rich and well-educated, but overwhelmingly poor, male, persons unable to afford qualified attorneys, and they are overwhelmingly accused of killing white persons."

(Rev. Lloyd Steffen, *"The Death Penalty as Symbol"*)

Several prominent studies confirm this bias. In 1990, the United States General Accounting Office conducted a review of the best studies examining race and the death penalty. The report concluded: *"Race of the victim was found to influence the likelihood of being charged with capital murder or receiving the death penalty, i.e. those who murdered whites were found to be more likely to be sentenced to death than those who murdered blacks. This finding was remarkably consistent across data sets, states, data collection methods and analytic techniques."* (General Accounting Office, *"Death Penalty Sentencing: Research Indicates Pattern of Racial Disparities,"* February 1990, in *Twenty Years of Capital Punishment*). Years of budget cuts have severely limited the legal resources and assistance available for those unable to afford their own legal representation. What legal assistance individuals do receive is often substandard.

People of faith are challenged by the death penalty on an even more fundamental level. The enclosed bumper sticker applies the question "What Would Jesus Do" to the issue of the death penalty. As Christians, we are called to consider how our faith understandings of justice, fairness, redemption, reconciliation and forgiveness inform our view of the death penalty. As stated in the 22nd General Synod resolution: *"...in the midst of a violent world, the lament of Jesus that we would 'know the things that make for peace' challenges us to move beyond such instruments as the death penalty to bring about true justice, healing and reconciliation."*